

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ETOPIA EVANS, *et al.*,

No. C 16-01030 WHA

Plaintiffs,

v.

ARIZONA CARDINALS FOOTBALL
CLUB, LLC, *et al.*,**ORDER RE
ADMINISTRATIVE MOTION
TO FILE UNDER SEAL**

Defendants.

On June 27, plaintiffs filed an administrative motion to file under seal portions of and exhibits to their opposition brief to defendants' motion for summary judgment (Dkt. No. 243). Since the motion relied primarily on confidentiality designations pursuant to the protective order herein, Civil Local Rule 79-5(e) required any supporting declaration "establishing that all of the designated material is sealable" to be filed by July 3. On June 29, an order granted the parties' stipulated request to continue that deadline to July 14 (Dkt. No. 246). As of this order, however, no supporting declaration has been filed. Accordingly, the Court rules as follows:

DOCUMENT SOUGHT TO BE SEALED**RULING**

Opposition brief (pages 4–5, 13–15)

No supporting declaration justifying sealing.
DENIED.

Exhibit 6 to Sinclair Declaration

No supporting declaration justifying sealing.
DENIED.

Exhibit 7 to Sinclair Declaration

No supporting declaration justifying sealing.
DENIED.

Exhibit 8 to Sinclair Declaration

No supporting declaration justifying sealing.
DENIED.

United States District Court

For the Northern District of California

1	Exhibit 9 to Sinclair Declaration	No supporting declaration justifying sealing. DENIED.
2	Exhibit 10 to Sinclair Declaration	No supporting declaration justifying sealing. DENIED.
3	Exhibit 11 to Sinclair Declaration	No supporting declaration justifying sealing. DENIED.
4	Exhibit 13 to Sinclair Declaration (pages 129, 308)	Plaintiffs seek to seal these pages because “they contain information obtained from documents or testimony that Plaintiffs have marked confidential subject to the Protective Order” (Dkt. No. 243-1 ¶ 4). Under Civil Local Rule 79-5(d)(1)(A), “Reference to a stipulation or protective order that allows a party to designate certain documents as confidential is not sufficient to establish that a document, or portions thereof, are sealable.” DENIED.
5	Exhibit 14 to Sinclair Declaration (page 11)	Plaintiffs seek to seal this page because “it contains personal identifying information that, while not required to be redacted under the Federal Rules, the parties have nonetheless agreed to redact” (Dkt. No. 243- 1 ¶ 5). Specifically, plaintiffs seek to redact only line 20 of page 11, which reveals only the home address of a physician deponent (<i>see</i> Dkt. No. 243-20). Compelling reasons warrant sealing of this information due to its irrelevance to the merits and the high visibility of this case. GRANTED.
6	Exhibit 16 to Sinclair Declaration	No supporting declaration justifying sealing. DENIED.
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		

Plaintiff shall file public versions of the foregoing documents in full compliance with this order by **AUGUST 2 AT NOON**.

IT IS SO ORDERED.

Dated: July 26, 2017.

Wm Alsop
WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE